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PATENT  
Attorney Docket No.: SCRIP1600-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bevan et al. Art Unit: 1645  
Application No.: 10/539,377 Examiner: Not Yet Assigned  
I.A. Filing Date: December 17, 2003 Conf. No.: 6746  
Title: ANKTM1, A COLD-ACTIVATED TRP-LIKE CHANNEL EXPRESS IN NOCICEPTIVE NEURONS

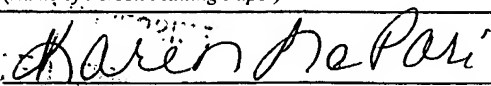
**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 mailed October 19, 2005, enclosed are:

1. One (1) copy of the Notification of Missing Requirements under 35 U.S.C. 371 mailed October 19, 2005 (2 pages);
2. Petition for One (1) Month Extension of Time (2 pages);
3. One (1) executed Declaration For Patent Application (4 pages);
4. Two (2) Powers of Attorney by Assignee (2 pages each);
5. Statement under 37 CFR § 1.821(f) and (g), 37 CFR §§ 1.825(a) and (b) (2 pages);

|   |                  |
|---|------------------|
| <b>CERTIFICATION UNDER 37 CFR §1.10</b>   |                  |
| "EXPRESS MAIL" Mailing Label Number: <b>EV 627 502 532 US</b>   |                  |
| Date of Deposit: January 18, 2006   |                  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |                  |
| KAREN LePARI  |                  |
| (Name of Person Mailing Paper)  |                  |
|   | January 18, 2006 |
| (Signature)   | (Date)           |

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6. Verified Statement under 37 CFR § 1.821(f) (1 page);
7. Sequence Listing (16 pages);
8. Preliminary Amendment (3 pages);
9. One (1) CFR Disk Containing Sequence Listing;
10. Check No. 580532 in the amount of \$250.00; and
11. Return Receipt Postcard.

Applicants claim **LARGE ENTITY** status in the above-identified application.

The filing fee has been calculated as follows.

|  | Number<br>Filed |   | Number<br>Extra |   | Rate            |                 |   | Fee             |                 |
|--|-----------------|---|-----------------|---|-----------------|-----------------|---|-----------------|-----------------|
|  |                 |   |                 |   | Small<br>Entity | Large<br>Entity |   | Small<br>Entity | Large<br>Entity |
| Total Claims   | 23-23           | = | 0               | X | \$25            | \$50            | = | \$ .00          | \$ .00          |
| Independent Claims   | 3-3             | = | 0               | X | \$100           | \$200           | = | \$ .00          | \$ .00          |
| Multiple Dependent Claims Present: ____ Yes <input checked="" type="checkbox"/> No |                 |   |                 |   | \$180           | \$360           |   | N/A             | N/A             |
| Fee for Each Additional 50 Sheets in Excess of 100 Pages                           |                 |   |                 |   | \$125           | \$250           |   | N/A             | N/A             |
|  |                 |   |                 |   | FILING FEE      |                 |   | \$ 150.00       | [\$ 300.00]     |
|  |                 |   |                 |   | SEARCH FEE      |                 |   | \$ 250.00       | [\$ 400.00]     |
|  |                 |   |                 |   | EXAM FEE        |                 |   | \$ 100.00       | [\$ 200.00]     |
|  |                 |   |                 |   | SURCHARGE FEE   |                 |   | \$ 65.00        | \$ 130.00       |
|  |                 |   |                 |   | TOTAL FEE       |                 |   |                 | \$ 130.00       |

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Bevan et al.

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I.A. Filing Date: December 17, 2003

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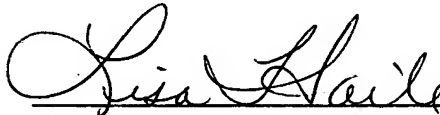
PATENT

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Enclosed is Check No. 580532 in the total amount of \$250.00; which consists of \$130.00 for the surcharge fee under 37 CFR 1.492(e) and \$120.00 for the One (1) Month extension of time fee under 37 CFR 1.17(a)(1). The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 18, 2006



Lisa A. Haile, J.D., Ph.D.

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**USPTO CUSTOMER NUMBER 28213**

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PATENT DOCKETING

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
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U.S. APPLICATION NUMBER NO.

10/539,377

FIRST NAMED APPLICANT

Stuart Bevan

ATTY. DOCKET NO.

SCRIP 1600-1

INTERNATIONAL APPLICATION NO.

PCT/EP03/14403

I.A. FILING DATE

12/17/2003

PRIORITY DATE

12/18/2002

28213

DLA PIPER RUDNICK GRAY CARY US, LLP  
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 SAN DIEGO, CA 92121-2133

CONFIRMATION NO. 6746

371 FORMALITIES LETTER



\*OC000000017268102\*

Date Mailed: 10/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/15/2005
- Copy of the International Search Report filed on 06/15/2005
- Copy of IPE Report filed on 06/15/2005
- Preliminary Amendments filed on 06/15/2005
- Oath or Declaration filed on 06/15/2005
- Biochemical Sequence Listing filed on 06/15/2005
- Request for Immediate Examination filed on 06/15/2005
- U.S. Basic National Fees filed on 06/15/2005
- Priority Documents filed on 06/15/2005
- Specification filed on 06/15/2005
- Claims filed on 06/15/2005
- Abstracts filed on 06/15/2005
- Drawings filed on 06/15/2005
- Paper nucleotide sequence listings filed on 06/15/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

#### PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/539,377                  | PCT/EP03/14403                | SCRIP 1600-1     |